



RE: HTSI Dallas Facility 
Richard Ehrhart to: Mark Erwin

09/11/2012 11:02 AM

From: Richard Ehrhart/R6/USEPA/US
To: Mark Erwin <mark.erwin@tceq.texas.gov>,

thanks Mark...

Mark Erwin

Rick, I haven't received that data yet. I will make...

09/11/2012 10:56:56 AM

From: Mark Erwin <mark.erwin@tceq.texas.gov>
To: Richard Ehrhart/R6/USEPA/US@EPA
Date: 09/11/2012 10:56 AM
Subject: RE: HTSI Dallas Facility

Rick,

I haven't received that data yet. I will make sure you get a copy when it comes in. Hope all is well with you.

Mark

From: Richard Ehrhart [mailto:Ehrhart.Richard@epamail.epa.gov]
Sent: Tuesday, September 11, 2012 10:47 AM
To: Mark Erwin
Subject: Fw: HTSI Dallas Facility

Hey Mark,
hope your doing well. great update on HTSI activities from Paul. sounds like their path forward on the groundwater assessment is a good one. Paul mentioned that the on-site VI assessment has been completed. I would really be interested in looking at that data/report if it's available.
thanks
Rick

----- Forwarded by Richard Ehrhart/R6/USEPA/US on 09/11/2012 10:38 AM -----

From: "Nemanic, Paul" <Paul.Nemanic@us.rhodia.com>
To: William Mansfield/R6/USEPA/US@EPA
Cc: Richard Ehrhart/R6/USEPA/US@EPA, David Vogler/R6/USEPA/US@EPA, Cameron Balch/R6/USEPA/US@EPA, <merwin@tceq.state.tx.us>
Date: 09/10/2012 02:32 PM
Subject: HTSI Dallas Facility

Hello Bill. As we discussed on the phone last week, I am sending to you the 3-14-12 Vapor Intrusion Work Plan and the 5-7-12 Work Plan for Supplemental Assessment to support Interim Corrective Measures. Also attached are the recent TCEQ scope approval letters for both of these work plan. Please note that the content of both work

plans are based upon consensus with both EPA and TCEQ as per detailed discussions between EPA, TCEQ and HTSI at a meeting at TCEQ in Austin dated 2-7-12, and a subsequent online meeting between TCEQ, HTSI and AMEC (Rhodia Consultant) on 4-16-12. For your benefit in understanding the process to date, I follow on below with a detailed description of the dialogue and decisions surrounding these documents.

The following people were in attendance at the 2-7-12 Austin meeting, including 3 EPA personnel:

- Paul Nemanic (Rhodia/HTSI)
- Kiran Srinivasan (EarthCon/HTSI's consultant)
- Mark Erwin (TCEQ PM)
- Mike Aplin (TCEQ VI lead)
- Richard Erhart (USEPA RCRA Corrective Action lead)
- David Vogler (USEPA VI specialist)
- Cameron Balch (USEPA Environmental Scientist)

During this meeting HTSI provided the regulators with an overview of the site history and the extensive site actions and site investigations performed to date by HTSI, and sought clarification on the regulators' expectations regarding VI pathway evaluation and interim remedy. Significant items discussed during the meeting are summarized below:

1. Upon reviewing site actions with HTSI, USEPA/TCEQ acknowledged that HTSI had undertaken significant, appropriate actions at the site. While the regulators were sympathetic to the fact that site contamination pre-dated HTSI's site ownership and also was unrelated to HTSI's RCRA Permit or permitted/regulated units, they expressed the view that RCRA/HSWA do not provide any relief under such circumstances (i.e., since HTSI took ownership of a RCRA TSD site, along with any associated contamination liability, RCRA Permit conditions and requirements would still apply to site contamination issues, and that the Permit cannot be rescinded until corrective action is complete). The regulators' reaction was similar when HTSI again raised the question of applicability of MSD to the site; while acknowledging the fact that the site was surrounded by MSDs (according to USEPA there are approximately 30 MSDs along Singleton Boulevard) the regulators were of the previously-articulated view that sites with RCRA permits do not qualify for MSDs.

2. Discussions were then held in regards to evaluation of the VI pathway. HTSI discussed TCEQ's comments to its May 2011 work plan requiring additional off-site soil gas locations (including soil gas samples at various depths to create a profile of vapor readings), ambient air and sub-slab samples on-site, comparison of on-site vapor samples to TRRP standards as opposed to OSHA PELs/TLVs, and evaluation of all 6 CVOCs in off-site vapor samples. HTSI acquiesced to all comments, except the one where TCEQ requested depth profiles. The merits of this request were discussed with TCEQ articulating that it was looking to USEPA for guidance, and USEPA stating that it had overseen many sites where depth profiling had provided a good indication of whether the VI pathway was complete; USEPA is of the position that while guidance is evolving and the only sure answer to evaluating pathway completeness is indoor air and sub slab sampling, soil gas samples with depth profiles are a minimum requirement. HTSI reiterated that nine phases of Affected Property Assessments had shown that a competent clay layer (20 to 40 ft thick) exists over the groundwater plume, and HTSI had cited its presence in the APAR (along with supporting documentation, boring logs, etc.) as the reason for documenting the VI pathway as incomplete—TCEQ had agreed with this position in approving the 2005 APAR without any comment on the VI pathway evaluation. USEPA inquired about the consistency and competency of the clay and agreed that it could be serving as a vapor barrier; however, USEPA insisted that only actual vapor data from the subsurface would demonstrate if such was the case. While TCEQ had previously agreed with HTSI's position that depth profiling could be postponed to a later phase (and performed only if shallow samples indicated anomalies), during the meeting, TCEQ too stated that its preference was to have depth profiling data during Phase I of the VI evaluation. Compromise positions were then articulated and discussed (with HTSI stating that it might be willing to collect vapor samples at two of the "hottest" on-site transect locations at 5-ft and 10-ft depth, and TCEQ stating that depth profiling at 5-ft

intervals down to the Lower Sand interface at those two locations is preferred—TCEQ elaborated by saying that it was willing to forego data from the northern transect, north of Singleton Boulevard, if HTSI would provide depth profile data at the two aforementioned locations). HTSI eventually conceded to TCEQ's viewpoint and agreed to provide vapor data at 5-ft intervals down to the Lower Sand interface at two of the hottest locations along the on-site transect, and forego investigation along the transect located north of Singleton Boulevard. HTSI further stated that it was fine with other TCEQ comments documented in TCEQ's January 23, 2012 letter.

3. Discussions then gravitated toward the interim corrective measure/remedy that TCEQ had requested in its January 23, 2012 delineation work plan approval letter. HTSI stated that it would implement the delineation work plan subject to access being obtained from two landowners of interest—some time was spent reviewing the locations of proposed well, the general layout and use of the area in which the affected property exists, and access constraints that HTSI may face. TCEQ stated that it could assist, if needed, by writing letters to landowners urging them to provide access, but TCEQ was of the opinion that it should be brought into the picture only as a last resort (since such back and forth communications between TCEQ—Legal and landowners could take months). USEPA stated that the matter of delineation and remedy was entirely TCEQ's responsibility and that USEPA would be available if TCEQ needed guidance. TCEQ acknowledged that HTSI's greatest challenge would be to obtain access to private property for delineation refinement purposes and suggested that alternative monitoring well locations be identified as a contingency. As regards the interim remedy, HTSI articulated its view that pump and treat (as communicated in December 2011 to HTSI by TCEQ as the option preferred by USEPA) was not a desirable remedy (either interim or permanent) due to proven non-performance/lack of effectiveness, excessive energy use, waste generation, etc. USEPA and TCEQ concurred, and stated that pump and treat was only offered as one of the active remedies for HTSI to consider, and that HTSI needed to implement an active remedy without delay, since natural degradation as a sole remedy would not be able to degrade contaminants within a reasonable timeframe (i.e., 15 years). If this timeframe were not met, then HTSI would be forced into a PMZ situation, which would require landowner consent. HTSI argued that there was strong evidence of natural degradation (reductive dechlorination) and that the plume was stable (i.e., that in at least 25-30 years of its probable existence, plume boundaries have remained substantially unchanged); as such natural degradation could not be discounted as a long-term remedy (HTSI agreed, however, that biological enhancements could be necessary in order to meet the 15-year timeframe). HTSI stated that a Permeable Reactive Barrier (PRB) or a physical hydraulic barrier (slurry wall) was a much more effective remedy for the groundwater plume as opposed to hydraulic pump and treat. HTSI then previewed a concept for PRB implementation wherein the treatment barrier would be placed running east-west across the northern extent of the site, near monitoring wells 10S/10D, 11S/11D, and 31 (i.e., in the area with the highest groundwater COC concentrations), and would be anchored in the east by a wing wall that would be jet-grouted in, and in the west in the Eagle Ford Shale escarpment. USEPA and TCEQ concurred that PRB would be more effective than pump and treat, and agreed that this option was probably the most feasible one, given site constraints; however, TCEQ reserved the right to review design documentation and assure itself that the remedy would meet clean up objectives within 15 years of implementation (HTSI stated that as the remedy was implemented, monitoring would reveal its effectiveness, and that HTSI would be willing to enhance ongoing natural degradation via necessary biological agents—TCEQ concurred that was a prudent approach to take).

The meeting concluded by HTSI discussing the timing and sequence of the various requested actions. HTSI stated that it did not make sense to implement the delineation and interim remedy work plan, submit an APAR addendum documenting these activities and associated findings, implementing the VI evaluation work plan, and then revising the APAR addendum to reflect activities and results of the latter. TCEQ concurred that the above sequence it had envisioned in its January 23, 2012 letter was flawed and that it made sense to undertake all requested activities and then submit an APAR addendum documenting the activities and associated findings. To that end, TCEQ requested HTSI to submit responses to its VI evaluation work plan comments within the stipulated 45-day period, and together with this response include a reasonable schedule for implementation of all activities (delineation enhancement, VI evaluation, and interim remedy implementation).

Soon after this 2-7-12 meeting in Austin, Earthcon prepared the attached VI Response letter and work plan dated 3-14-12 to reflect the agreed upon path forward. This work plan was approved by TCEQ via letter dated 6-13-12 (attached). In April of 2012, HTSI transitioned the project away from Earthcon to Haley&Aldrich (H&A) as lead environmental consultant, who will be supported by AMEC as a subcontracted consultant. With the transition to a

new consultant came an in depth project review which resulted in new thinking with respect to the project as a whole and the project data needs, and which also resulted in many recommendations on the most effective way to characterize the site for the purposes of selecting and implementing both an interim corrective measure and a long term final corrective measure. Because of the fresh eyes on the problem, HTSI was now being advised by its new consultant that the 3/25/11 groundwater assessment work plan (prepared by Premiere and approved by TCEQ) is lacking and is not the optimal way of addressing the groundwater issues and not the optimal way of gaining the data required for ICM and long term remedy. And so an online meeting between TCEQ, HTSI and H&A/AMEC was held on 6/16/12. The online meeting with Mark Erwin of TCEQ resulted in consensus that the 3-25-11 approved work plan should be superseded with a new plan, the 5-7-12 Work Plan for Supplemental Assessment to support Interim Corrective Measures (attached) which was approved by TCEQ via letter dated 8-6-12 (attached). Upon review of this scope you will see that it employs cutting edge high resolution delineation methodologies which we believe will be very advantageous to characterization of the groundwater issues and to selection of appropriate remedies.

At this point in time HTSI has completed the onsite portion of the VI scope of work. The offsite portion of this work has been held up due to the time required to gain city of Dallas permits to collect data from the public right of ways (these permits are anticipated to be in hand within the next few weeks after which the data collection will commence immediately. The recently approved (8-6-12) Supplemental Assessment work plan cannot be initiated until access agreements have been negotiated with various private property owners. HTSI is currently working on these negotiations. Upon gaining offsite access the Supplemental Assessment work plan will be implemented expeditiously.

If you have any questions about this project please do not hesitate to contact me. I also urge you to discuss this matter with your colleagues who attended the meeting in Austin as they were provided with a detailed presentation of the site issues and the path forward to remedy the environmental concerns of EPA and TCEQ. I believe they left the meeting feeling quite satisfied that HTSI is diligently moving forward toward a responsible resolution for the site environmental issues and that TCEQ is providing competent project stewardship.

Best Regards

Paul Nemanic

Hydrogeologist/Remediation Manager

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***** ATTACHMENT NOT DELIVERED

[attachment "20120314 VI Resps Ltr Workpln 3-14-12.pdf" deleted
by Richard Ehrhart/R6/USEPA/US] [attachment "20120507 ICM work
scope to EPD 5-7-12.pdf" deleted by Richard Ehrhart/R6/USEPA/US]
[attachment "20120806 TCEQ GW Work Plan approval 8-6-12.pdf"
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TCEQ VI scope aprvl 6-13-12.pdf" deleted by Richard
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